

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

BRIAN ROY,)	
)	
Plaintiff,)	1:10-cv-00296-GJQ
)	
v.)	Judge Quist
BUREAU OF COLLECTION)	
RECOVERY, LLC.,)	
)	
Defendant.)	

NOTICE OF VOLUNTARY DISMISSAL PURSUANT TO SETTLEMENT

NOW COMES the Plaintiff, BRIAN ROY, by and through his attorneys, LARRY P. SMITH & ASSOCIATES, LTD., and for his Notice of Voluntary Dismissal, Plaintiff states as follows:

1. Pursuant to Rule 41(a)(1)(A)(i) of the Federal Rules of Civil Procedure, Plaintiff hereby notifies this Honorable Court that the Plaintiff voluntarily dismisses his case pursuant to a settlement agreement reached by the parties.
2. The Defendant in this case has filed neither an answer to Plaintiff's complaint nor a motion for summary judgment.
3. Plaintiff requests that the dismissal of the above captioned matter be without prejudice and without costs to either party, and with leave for Plaintiff to seek reinstatement within forty-five (45) days from the date of entry of this Notice of Dismissal.
4. Plaintiff further requests that if this case has not been reinstated within forty-five (45) days from the date of entry of this Notice, or a motion for reinstatement has not been filed by said date, then the dismissal of this case shall automatically convert from a dismissal without prejudice to a dismissal with prejudice.

Respectfully submitted,
BRIAN ROY

By: s/ David M. Marco
Attorney for Plaintiff

Dated: April 26, 2010

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